

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMES A. SOUDER and LANA SOUDER
Plaintiffs

CIVIL ACTION

NO.: 05-780

v.

**ALABAMA MOTOR EXPRESS, INC.
and
ERIC M. BRION**
Defendants

STIPULATION

It is hereby stipulated and agreed to by and between the parties that:

1. Defendant, Eric M. Brion's Motion to Transfer or Dismiss (Docket No. 7) is withdrawn.
2. Plaintiffs do not oppose Defendants' Motion to Dismiss for Forum Non Conveniens or in the Alternative, Transfer Venue (Docket No. 13), provided that the relief granted is the transfer of the matter to the United States District Court for the District of Delaware.
3. The parties agree that jurisdiction and venue is appropriate as to both defendants in the Federal Court for the District of Delaware and consent to the entry of an Order transferring this matter to the United States District Court for the District of Delaware, which was the situs of the collision giving rise to the action.

LAW OFFICES OF DAVID B. WINKLER, P.C.

By: /s/ David B. Winkler

Attorney for Plaintiffs

PA Attorney ID: 46528

1930 Route 70 East, Building Q

Cherry Hill, NJ 08003

(856) 616-1000

e-mail: winkler@jersey.net

LAW OFFICES OF THOMAS J. WAGNER

By: Celeste Harrison CH5028

Attorneys for Defendants, Alabama Motor Express

Inc., and Eric M. Brion

1528 Walnut Street, Suite 501

Philadelphia, PA 19102

(215) 790-0761

e-mail: tjwagner@wagnerlaw.net